

MEMO

TO: File

FROM: Jim Kelly

DATE: October 16, 2001

SUBJECT: David Niezwaag, PDC Case No. 01-507

Mr. Niezwaag called me today and requested a review of the Brief Enforcement Hearing results in Case No. 01-507. He will send in an explanation letter and has requested a phone conference. I will contact Mr. Niezwaag to arrange the phone conference.



STATE OF WASHINGTON

PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm 206, PO Box 40908 • Olympia, Washington 98504-0908 • (360) 753-1111 • FAX (360) 753-1112

Toll Free 1-877-601-2828 • E-mail: pdcc@pdc.wa.gov • Website: www.pdc.wa.gov

BEFORE THE PUBLIC DISCLOSURE COMMISSION

DAVID NIEZWAAG
2628 E RALSTON/BENGE RD
RITZVILLE WA 99169

In Re the Matter of)	PDC Case No. 01-507
David Niezwaag)	Findings of Fact,
)	Conclusions of Law and
Respondent.)	Order Imposing Fine
_____)	

A brief enforcement hearing was held July 30, 2001 in Room 206, Evergreen Plaza Building, Olympia, Washington to consider the Respondent's apparent failure to timely file the Statement of Financial Affairs, PDC Form F-1, due by April 16, 2001, a violation of RCW 42.17.240.

The hearing was held in accordance with Chapters 34.05 and 42.17 RCW and Chapter 390-37 WAC. Commission Chair Christine Yorozu was the Presiding Officer. The Commission staff was represented by Phil Stutzman, Director of Compliance. The Respondent was not present.

Brief enforcement hearing notice was sent to the Respondent on July 17, 2001. Having considered the evidence, the Presiding Officer finds as follows:

FINDINGS OF FACT

1. The Respondent is a Park & Recreation Commissioner for Ritzville Park & Recreation District.
2. The Respondent was required to file a Statement of Financial Affairs (PDC Form F-1) by April 16, 2001.
3. The F-1 was not filed.



CONCLUSIONS OF LAW

Based on the above facts, as a matter of law, the Presiding Officer concluded as follows:

1. This matter was duly and properly convened and all jurisdictional, substantive and procedural requirements have been satisfied.
2. The Respondent violated RCW 42.17.240 by failing to file the Statement of Financial Affairs by April 16, 2001.

ORDER

ON the basis of the foregoing Findings of Fact and Conclusions of Law,

IT IS HEREBY ORDERED that the Respondent is assessed a civil penalty of \$100. The penalty shall be paid within 30 days of the date of this order.

This is an initial order of the Public Disclosure Commission. The Respondent may request a review of this order by the entire Commission. The request may be made orally or in writing, and must be received at the Public Disclosure Commission's office within 21 days after service of this order. If the Respondent requests a review, no penalty need be paid until after the Commission rules on the request.

IF NO REQUEST FOR REVIEW IS RECEIVED WITHIN 21 DAYS, THIS ORDER WILL AUTOMATICALLY BECOME A FINAL ORDER OF THE COMMISSION, AND THE RESPONDENT WILL BE LEGALLY OBLIGATED TO PAY THE PENALTY PURSUANT TO RCW 42.17.395, UNLESS AN APPEAL IS MADE PURSUANT TO RCW 42.17.395.

Entered this 14th day of August, 2001.

Public Disclosure Commission

 Vicki Rippie

Vicki Rippie
Executive Director